

to say to these folks who haven't had a pay raise in the last 7 years or so: We are going to address that inequity too.

My hope is we can do all those, and the passage of this legislation will help us in that direction, plus reduce a little bit of our dependence on foreign oil, plus reduce the emission of bad stuff into our air, reduce congestion at our airports and in our skies and on our highways.

If we do all that we ought to declare victory. The thing I love most about what happened here this week and last week on this bill is Democrats and Republicans did it together; we actually worked together and I applaud the efforts of Senator LAUTENBERG and Senator LOTT and I especially wish to say thanks to our leader, Senator REID, for making time on the schedule for us to have this debate, to follow through on it; and my colleagues on both sides who participated in the debate and offered reasonable amendments, some of which were adopted. This place actually functioned the way I think people of this country expect us to.

MORNING BUSINESS

Mr. CARPER. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTERNET TAX MORATORIUM

Mr. CARPER. I further ask unanimous consent that Senator ALEXANDER and I be allowed to participate in a colloquy for 10 minutes apiece, up to 10 minutes apiece for a total of up to 20 minutes. I think what I would like to do initially is yield, if I could, to Senator ALEXANDER for his comments and whatever he would like to say.

While he comes to his feet to speak first, let me say, I think the people in the country want us to work together. We have Democrats, we have Republicans, we have Independents in this country, and we realize we are not going to agree on everything. People realize that, but when we can agree, they want us to do that. They want us to use common sense, take the opportunity to work across the aisle and make sure that common sense is reflected, whether it is passenger rail service or the interest or noninterest in providing people protection from having their Internet access taxed, their e-mail traffic taxed, their instant messaging taxed.

I have had the great privilege of working with Senator ALEXANDER for 3 or 4 years—in some cases maybe longer than we would like to remember—on the issue of tax moratorium, but he has been a great partner, and I especially want to thank him for letting me be his partner and say to Senator ENZI of Wyoming and Senator VOINOVICH of

Ohio, both former mayors, Senator FEINSTEIN—a former mayor herself—Senator DORGAN, former revenue director for the State of North Dakota, and Senator ROCKEFELLER, a former Governor of West Virginia, all of whom worked together as a team to try to bring us to this day, to where we are today, the House has adopted legislation we passed last year, providing for a 7-year extension of the Internet tax moratorium.

Let me say to Senator ALEXANDER what a real privilege it is for me to have an chance to work with you on all kinds of issues, including this one. I thank you for that opportunity.

The PRESIDING OFFICER. Without objection, the Senators from Tennessee and Delaware may engage in a colloquy.

The Senator from Tennessee is recognized.

Mr. ALEXANDER. Mr. President, I thank the Senator from Delaware. He has provided extraordinary leadership as a former chairman of the National Governors Association on the legislation that was passed. Let me be specific about what has been done.

Last Thursday, the Senate worked out a compromise and passed legislation to extend for 7 more years the moratorium on the taxation of access to the Internet. That was called the Sununu-Carper amendment, the Senator from New Hampshire and the Senator from Delaware. It was an amendment to the 4-year extension that the House of Representatives passed on October 16 by a vote of 405 to 2. I was glad to be a cosponsor of the Sununu-Carper amendment. Hopefully, the House will vote on that legislation today, if it has not already, so the President can sign it into law before the moratorium expires on November 1, which is this Thursday.

At the invitation of the Senator from Delaware, let me try to put this accomplishment into a little larger perspective. Above the Senator from Colorado, who is the Presiding Officer, is a few words that have been our country's national motto, "E Pluribus Unum," one from many.

How do we make this country one from many? Not by race or not by descent but because we agree on a few principles. We have a common language, and we have a common history.

A very wise professor, Samuel P. Huntington, at Harvard, who was a former President of the American Political Science Association, said:

Much of our politics is about conflicts between principles with which all of us agree.

For example, if we were debating immigration, we might say "equal opportunity" on the one hand, "rule of law" on the other. We all agree with both principles, but they conflict so we have an argument. That is what happened with the question of whether the Federal Government should pass a law to extend a moratorium that says States, cities, and counties cannot tax access to the Internet.

On the one hand, if you have been a Governor, as Senator CARPER and I have been, nothing makes you madder than for Members of Congress to stand up with a big idea and say let's put this into law; let's take credit for it and send the bill to the Governors, to the States and cities and the counties—because usually we find that Senator or Congressman back home in our States making a big speech about local control at the next Lincoln Day or Jackson or Jefferson Day dinner.

That is the principle of federalism on the one side: No more unfunded Federal mandates, is what we Republicans like to say. In fact, a whole bunch of Republicans, including Newt Gingrich, stood up on the U.S. Capitol steps in 1994 and said: No more unfunded mandates. If we break our promise, throw us out. The New Republican Congress passed a law in 1995, S. 1 it was called, no more unfunded mandates, that is the law of the land. If Congress wants to order States and local governments to do it, Congress should pay for it.

That was the principle of federalism. But on the other hand, we had the principle of—let's say *laissez faire*, for lack of a better word. If you have been in business or helped to start a business, as I also have, you want as little taxation as possible and as much certainty as possible. As the Internet grows and develops, from the very beginning, it was thought it ought to be as free as possible from multiple regulations and taxes from State and local governments. So that produced the kind of debate that often comes to the floor of the Senate, those saying on the one hand: Wait a minute, let's leave the Internet alone. Let's let it grow. Let's keep the State and local governments from taxing it, or at least from taxing access to it. And on the other hand, the States, the Governors and the mayors and the city councilmen—many of us have been in those positions before—saying: Wait a minute, it is not the job of Congress to say to Colorado or Delaware or Tennessee: You must have this service or you can't tax food or you can't tax income or you can't put a sales tax on Internet access.

In 2003 and 2004, we had a huge debate about the last extension of the Internet access tax moratorium and came to a conclusion. At that time, Senator CARPER and I asked the industry, the companies, to sit down with the National Governors Association, the National Conference of Mayors, the National Association of Counties and take these principles—federalism on the one side, *laissez faire* on the other—and suggest to us some ways we could craft legislation that recognized we all agree with both principles. We need to find a way to put the principles together. That is what this compromise did.

I will let the Senator from Delaware explain a little more about the details of it, but if he doesn't mind, I will go ahead a few more minutes and give a couple of examples of why the compromise is a good idea. Fundamentally,